

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

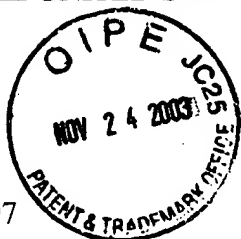
In re Application of

Martin Morris

Serial No. 09/871,097

Filed: May 31, 2001

For: APPARATUS AND METHOD FOR  
FACILITIES MAINTENANCE MANAGEMENT



)  
) Examiner:  
) Charles R. Kasenge  
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) Art Unit: 2125  
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)  
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**REQUEST FOR REINSTATEMENT**

**RECEIVED**

DEC 02 2003

Technology Center 2100

Commissioner for Patents  
P.O. Box 1450  
Washington, D.C. 22313-1450

Dear Sir:

The present Request For Reinstatement responds to a Notice of Abandonment dated November 4, 2003, in the above referenced application. The reason for abandonment is alleged to be the lack of a response to the Official Action mailed March 26, 2003.

The applicant respectfully submits that a response was timely filed, as shown by the attached copy of the response, the request for an extension of time and the filed-stamped return post card bearing a certificate of mailing dated September 26, 2003.

Reinstatement is respectfully requested.

Respectfully submitted,

Carl M. Davis II  
Registration No. 31,502

BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ  
Five Concourse Parkway, Suite 900  
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Docket No.: 170941-000001 (6M26 1-010)

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Carl M. Davis II



Please stamp with date of receipt and return to addressee

Inventor: Martin Morris

Serial No. / Pat. No: 09/871,097



Title: A/m for facilities  
Maintenance Management

Paper Submitted: Amendment;  
Extension of time (3mes); Check \$465;  
Postcard

Sender:

cmd

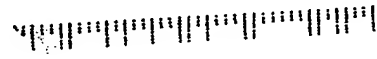
Our File: 2170941-000001

Date: 9/26/03

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DEC 02 2003

Technology Center 2100



Title: APPARATUS AND METHOD  
FOR FACILITIES MAINTENANCE  
MANAGEMENT

) Art Group: 2125  
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) Examiner: Charles R. Kasenge  
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**AMENDMENT**

Commissioner of Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Please amend the subject application as follows:

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Technology Center 2100

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Signature: Carl M. Davis II  
Carl M. Davis II

## Claim Amendments

1. (currently amended) An apparatus providing identification, monitoring, and tracking of facilities maintenance, comprising:

an interactive information storage device configured for receiving and retaining at least one facility profile, said facility profile including a facility identification, at least one process area descriptor identifying a functional subdivision of a facility, at least one substrate comprising a maintainable item associated with each process area [descriptor], and associated with each substrate a substrate condition having a quantitative value representative of a subjective qualitative assessment of the condition of the substrate, a substrate environment having a quantitative value representative of a subjective qualitative assessment of the environment of the substrate, a substrate process priority having a quantitative value representative of a subjective assessment of the criticality of the substrate to the process area, and a substrate area;

an analyzer for evaluating said quantitative values of the substrate condition, substrate environment, and substrate process priority to determine a quantitative substrate ranking;

an estimator for applying a standard work information to the substrate condition, substrate environment, substrate process priority, and substrate area to determine a substrate maintenance estimate;

a reporter for generating maintenance specifications of the substrate maintenance estimates and substrate ranking for a selected one of the facility profiles.

2. (original) The apparatus as recited in claim 1, wherein said interactive information storage device comprises a remotely located first computer device accessible through an interactive computer network by at least one second computer device associated with said facility profile.

3. (original) The apparatus as recited in claim 1, further comprising a substrate maintenance specification associated with each different type of substrate, said substrate maintenance specification comprising at least a maintenance purpose, a maintenance preparation, and a maintenance coating, for specifying maintenance tasks and bidding thereon.

4. (original) The apparatus as recited in claim 3, further comprising a bid generator for preparing maintenance services requests based on selected substrates and said associated substrate maintenance specification.

5. (original) The apparatus as recited in claim 1, further comprising at least one substrate maintenance history for at least one of said substrates, each substrate maintenance history comprising a job identification, a job notes, and a job cost, for tracking maintenance projects for said substrate.

6. (original) The apparatus as recited in claim 1, wherein said reporter generates an evaluation for a selected one of the substrates based on said substrate maintenance history and said substrate maintenance estimate.

7. (original) The apparatus as recited in claim 1, wherein said substrate further comprises a substrate factor based on said substrate maintenance history.

8. (currently amended) A method for identifying, monitoring, and tracking of facilities maintenance, comprising the steps of:

(a) subdividing a facility into separate process areas representative of functional subdivisional areas of the facility;

(b) identifying within each process area at least one substrate comprising a maintainable item associated with the process area together with a substrate condition having a quantitative value representative of a subjective qualitative assessment of the substrate condition, a substrate environment having a quantitative value representative of a subjective qualitative assessment of the substrate environment, and a substrate process priority having a quantitative value representative of a subjective assessment of the criticality of the substrate to the process area;

(c) analyzing the substrate condition, substrate environment, and substrate process priority to determine a quantitative substrate ranking;

(d) generating maintenance specifications using a substrate maintenance estimates and substrate ranking for a selected one of the facilities.

9. (original) The method as recited in claim 8, further comprising the step of maintaining the process area and substrate information on an interactive information storage device.

10. (original) The method as recited in claim 9, where maintenance specifications performed on substrates revise the substrate information contained on the interactive information storage device.

11. (original) The method as recited in claim 10, wherein the interactive information storage device is operated by a remote first computer device accessed through an interactive computer network by at least one second computer device associated with said facility.

12. (original) The method as recited in claim 1, further comprising the step of providing at least one substrate maintenance specification associated with each different type of substrate, said substrate maintenance specification comprising at least a maintenance purpose, a maintenance preparation, and a maintenance coating, for specifying maintenance tasks and bidding thereon.

13. (original) The method as recited in claim 12, further comprising the step of generating maintenance bid specifications for obtaining maintenance services based on selected substrates and said associated substrate maintenance specification.

14. (original) The method as recited in claim 13, further comprising the steps of completing at least one substrate maintenance project, copying the prior information about the substrate to a substrate history, and editing the substrate information to reflect changes based on the maintenance project.



15. (original) The method as recited in claim 14, further comprising for at least one of said substrates, the steps of maintaining in each substrate maintenance history a job identification, a job notes, and a job cost, for tracking maintenance projects for said substrate.

16. (currently amended) The [apparatus] method as recited in claim 8, comprising the step of generating an evaluation for a selected one of the substrates based on said substrate maintenance history and said substrate maintenance estimate.

17. (new) The method as recited in claim 8, wherein step (c) analyzing further comprises the assigning a separate percentage to each of the substrate condition, substrate environment, and substrate priority, said percentages totaling 100 percent, to determine the substrate ranking.

18. (new) The apparatus as recited in claim 1, wherein the analyzer assigns a separate percentage to each of the substrate condition, substrate environment, and substrate priority, said percentages totaling 100 percent, to determine the substrate ranking.

## Specification Amendments

Please amend the text at page 3, line 16 through page 4, line 22:

The present invention meets the need in the art by providing an apparatus and method that identifies, monitors, and tracks facilities maintenance. The apparatus comprises an interactive information storage device configured for receiving and retaining at least one facility profile. The facility profile includes a facility identification, at least one process area descriptor identifying a functional subdivision of a facility and at least one substrate comprising a maintainable item associated with each process area [descriptor]. Associated with each substrate is a substrate condition having a quantitative value representative of a subjective qualitative assessment of the condition of the substrate, a substrate environment having a quantitative value representative of a subjective qualitative assessment of the environment of the substrate, a substrate process priority having a quantitative value representative of a subjective assessment of the criticality of the substrate to the process area, and a substrate area. An analyzer evaluates the substrate condition, substrate environment, and substrate process priority to determine a quantitative substrate ranking. An estimator applies standard work information to the substrate condition, substrate environment, substrate process priority, and substrate area, to determine substrate maintenance estimates. A reporter generates maintenance specifications of the substrate maintenance estimates and substrate ranking for a selected one of the facility profiles.

In another aspect, the present invention provides a method for identifying, monitoring, and tracking of facilities maintenance, comprising the steps of:

(a) subdividing a facility into separate process areas representative of functional subdivisional areas of the facility;

(b) identifying within each process area at least one substrate comprising a maintainable item associated with the process area together with a substrate condition having a quantitative value representative of a subjective qualitative assessment of the condition of the substrate, a substrate environment having a quantitative value representative of a subjective qualitative assessment of the environment of the substrate, and a substrate process priority having a quantitative value representative of a subjective assessment of the criticality of the substrate to the process area;

(c) analyzing the substrate condition, substrate environment, and substrate process priority to determine a quantitative substrate ranking; and

(d) generating maintenance specifications using a substrate maintenance estimates and substrate ranking for a selected one of the facilities.

## REMARKS

The present Amendment responds to the Office Action dated March 26, 2003. Claims 1 - 16 are pending in the application. Concurrently filed herewith is a petition for a three-month extension of the period in which to respond, to expire September 26, 2003.

### Claims (amended) allowable over *Greenfield*

Claims 1, 3, 5-10 and 12-16 stand rejected as anticipated by *Greenfield* U.S. Patent No. 5,737,227. By this, the examiner means that all of the elements recited in the claims are shown by *Greenfield*. The applicant respectfully traverses and requests reconsideration of the invention as set forth in the amended claims.

*Greenfield* describes a planning and maintenance program for linings and coatings in facilities. Particularly, *Greenfield* provides a program "for forecasting, prioritizing, planning and tracking paint, coating and lining maintenance work for facility assets."

In contrast, the present invention provides an improved process of configuring a computer for a process and apparatus to monitor and estimate maintenance requirements of a facility based on discrete components or "substrates" of process areas or subdivisional areas in the facility in view of a subjective assessment of the criticality of the substrate to the process or functionality of the process area or the facility, whereby a facility manager can thereby prioritize attention, inspection, and maintenance activities. The maintenance management apparatus and method uses quantitative values representative of qualitative subjective assessments of conditions, environments and priority or criticality of a component to the facility and processes. This total requirement takes into account the physical plant itself and not merely the painting or coating requirements. Particularly, the

physical plant includes air conditioning equipment, roofing, water proofing, composite and cementations materials, equipment linings, flooring, safety and environmental matters including hazardous materials abatement and mold remediation, among other maintainable items. The present invention accordingly accounts for the entire building envelope through analysis of its process areas or subdivisional rooms of the facility. The process areas include at least one substrate or maintainable item associate with the process area. Substrates are structures that need periodic maintenance, such as foundation, framing, and enclosing sheeting such as walls and siding, the mechanical and electrical systems, and equipment contained within the process area, as explained on page 20, lines 21 - 26 and Fig. 12 that lists some types of substrates or facility components.

Further, the invention set forth in amended claims 1 and 8 provide an apparatus and method incorporating the identification of a facility for which monitoring and tracking of facilities maintenance is to be accomplished. The facility includes process areas for maintenance management. These process areas are the sub-dividable portions of a facility, such as an office, warehouse, manufacturing area by which structures and components of the process area are to be tracked. Each process area includes at least one substrate or maintainable item as discussed above. Associated with each substrate is a substrate condition, environment, and priority, which each have a quantitative value representative of a subjective qualitative assessment of the condition, environment, and priority of the substrate, as discussed at page 20, line 26 - page 21, line 2 and page 21, lines 19 - 27. The environment assessment particularly identifies the substrate and its contact with adverse impacting materials such as weather, chemicals or gases, temperature or submergence within such chemicals or gases. The substrate process priority associates the substrate criticality to the functionality of the process area. The substrate accordingly refers not just to surfaces, but

underlying structures as well as related equipment and materials in the process area or room. Fig. 12 identifies representative substrates including accent strip, air handling equipment, alan bolt installation and ducting. Other mechanical and electrical subsystems can be included in the substrate analysis for a process area. For example, a process area accomplishing heat baking of finished goods has an electrical supply to that process area for activating the ovens or heat lamps. The electrical equipment and electricity supply lines would be considered critical, in that the baking of finished goods is necessary in the manufacturing process. Thus damages, defects or problems with the distribution equipment for electrical supply to the process area is of a critical nature.

The invention of claims 1 and 8 further require an analyzer that evaluates the quantitative values of the substrate condition, substrate environment, and substrate process priority to determine a quantitative substrate ranking, as discussed at page 22, lines 11 - 28. The resulting substrate ranking provides an indication of the priority each substrate has for attention, inspection, and maintenance, thereby directing the facilities manager to productive monitoring and inspection. Further, an estimator applies work information to the condition, environment, process priority and area, to determine a substrate maintenance estimate reflective of projected costs and labor in view of the subjective qualitative assessments reflected by the quantitative representations. These estimates can be reported selectively for identifying, monitoring, and tracking facilities management.

#### **New Claims 17 and 18**

New claims 17 and 18 are directed to the feature of the present invention to evaluate various scenarios by varying the percentage each of the substrate condition, substrate environment, and substrate condition contribute to determination of the substrate ranking, as discussed on page 22,

lines 11 - 22. No additional fees are believed necessary for the new claims, as the total number of independent claims is 2 and the total number of claims is less than 20.

In summary, it is believed that the present amendment responds fully to the issues outstanding in this application and that claims 1 - 18 (amended) are in condition for allowance, and same is earnestly solicited.

Respectfully submitted,



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Docket No. 170941-00001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Martin M. Morris

Serial No. 09/871,097

Filed: May 31, 2001

For: APPARATUS AND METHOD FOR FACILITIES  
MAINTENANCE MANAGEMENT

Examiner: Charles R. Kasenge

Art Unit: 2125

PETITION FOR EXTENSION OF PERIOD FOR RESPONSE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

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Technology Center 2100

Sir:

Applicant petitions for a three-month extension of the period in which to respond to the Notice to File Corrected Papers dated March 26, 2003, to expire September 26, 2003. A check for the \$465.00 fee is attached. If missing or of the incorrect amount, please charge or credit deposit account no. 11-0553.

Respectfully submitted,



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Docket No.: 170941-00001

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Carl M. Davis II